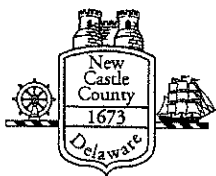


EXHIBIT B



**Office of the Sheriff
New Castle County, Delaware**

Trinidad Navarro
Sheriff

Louis L. Redding City/County Bldg.
800 N. French Street
Wilmington, DE 19801
Office: 302-395-8450, Fax: 302-395-8460

AFFIDAVIT OF SERVICE

STATE OF DELAWARE)

10/7/2015

) SS

NEW CASTLE COUNTY)

RONALD POLETTI, ET AL

vs

SYNGENTA CORPORATION

Court Case # 2015L001219

Sheriff # 15-008685

Scott Phillips, being duly sworn, deposes that he/she is a Deputy Sheriff and avers that he/she served upon and left personally upon JANICE LANDINO, ADMINISTRATIVE ASSISTANT for SYNGENTA CORPORATION at C/O CHERYL QUAIN (OR SUCCESSOR 3411 SILVERSIDE ROAD WILMINGTON, DE 19810 , on 10/6/2015 at 3:22 PM a copy of SUMMONS AND COMPLAINT.

Scott Phillips, Deputy Sheriff

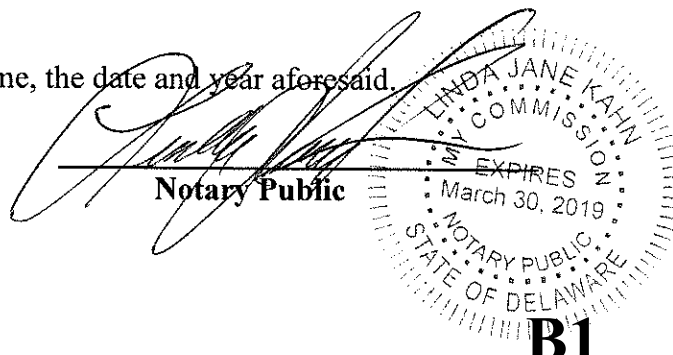
STATE OF DELAWARE)

) SS

NEW CASTLE COUNTY)

BE IT REMEMBERED that on 10/7/2015 personally came before me, the Subscriber, a Notary Public of the State of Delaware, Scott Phillips, a Deputy Sheriff of New Castle County and State of Delaware, and stated that the facts stated above are true and correct.

SWORN AND SUBSCRIBED before me, the date and year aforesaid.



B1

September 29, 2015

Case 3:15-cv-01221-NJR Document 1-3 Filed 11/03/15 Page 3 of 18

FILED

Case Number: 2015 L 001219

Transaction ID: 58010593

Date: Oct 13 2015 03:31PM

Mark Von Nida

Clerk of Circuit Court

Third Judicial Circuit, Madison County Illinois

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY
155 N Main St., Edwardsville, IL 62025
(618) 296-4464
madisoncountycircuitclerkIL.org

CASE No. 2015 L 001219

DATE: September 29, 2015

RONALD POLETTI

PLAINTIFF

VS.

SYNGENTA CORPORATION
C/O CHERYL QUAIN (OR SUCCESSOR
3411 SILVERSIDE ROAD STE
WILMINGTON, DE 19810

DEFENDANT

DEFENDANT: SYNGENTA CORPORATION

You are hereby summoned and required to file an answer in this case, or otherwise file your appearance, in the office of the Madison County Circuit Clerk, within 30 days after service of this summons, exclusive of the day of service. If you fail to do so, a judgment or decree by default may be taken against you for the relief prayed in the complaint.

This summons must be returned by the officer or other person to whom it was given for service, with endorsement thereon of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than 30 days after its date.



MARK VON NIDA the Clerk of said Circuit Court and the seal thereof, at Edwardsville, Illinois, this September 29, 2015.

MARK VON NIDA
CLERK OF THE CIRCUIT COURT

BY ABentlage
Deputy Clerk

(Plaintiff's attorney or plaintiff if he is not represented by an attorney)

W WYLIE BLAIR
ONDER SHELTON O'LEARY & PETERSON LL
100 E LOCKWOOD AVE
2ND FL
ST LOUIS, MO 63119

Date of Service: _____, 20____.

(To be inserted by officer on the copy left with the defendant or other person)

1 of 2

The Madison County Court makes every effort to comply with accessibility laws and provides reasonable accommodations to persons with disabilities. Hearing, visual and other assistance may be arranged by contacting our Court Disability Coordinator, Teri Picchioldi at 618-296-4884.

B2



AFFIDAVIT OF SERVICE

EFILED
Case Number: 2015L 001219
Transaction ID: 58010691
Date: Oct 13 2015 08:34PM
Mark Von Nida
Clerk of Circuit Court
Third Judicial Circuit, Madison County Illinois

CASE NUMBER: 15L001219 MULT.SER. 2 DOC. TYPE: LAW
DIE DATE: 10/16/2015 RECEIVED DATE: 10/2/2015 FILED DATE: 09/29/2015
12:00:00 PM DIST: 604 DC

DEFENDANT

SYNGENTA SEEDS, INC
208 S LASALLE ST
CHICAGO, IL 60604
STE 814

PLANTIFF

POLETTI, RONALD

ATTORNEY

ONDER SHELTON O'LEARY & PETERSON LL
100 E LOCKWOOD AVE 2ND FL
ST LOUIS, MO 63119

FOREIGN

ATTACHED FEE AMOUNT:

SERVICE INFORMATION: C O C T CORP SYS

I CERTIFY THAT I SERVED THE DEFENDANT/RESPONDENT AS FOLLOWS:

(1) PERSONAL SERVICE:

BY LEAVING A COPY OF THE WRIT/ORDER WITH THE DEFENDANT/RESPONDENT PERSONALLY, AND INFORMING DEFENDANT/RESPONDENT OF CONTENTS.

(2) SUBSTITUTE SERVICE:

BY LEAVING A COPY OF THE SUMMONS AND COMPLAINT AT THE DEFENDANT'S USUAL PLACE OF ABODE WITH A FAMILY MEMBER OR PERSON RESIDING THERE, 13 YEARS OR OLDER, AND INFORMING THAT PERSON OF THE CONTENTS OF THE SUMMONS. ALSO, A COPY OF THE SUMMONS WAS MAILED TO THE DEFENDANT AT HIS OR HER USUAL PLACE OF ABODE ON THE _____ DAY OF _____ 20____.

(3) UNKNOWN OCCUPANTS:

BY LEAVING A COPY OF THE SUMMONS AND COMPLAINT NAMING "UNKNOWN OCCUPANTS" WITH A PERSON OF THE AGE OF 13 OR UPWARDS OCCUPYING SAID PREMISE.

(4) CORP/CO/BUS/PART:

BY LEAVING THE APPROPRIATE NUMBER OF COPIES OF THE SUMMONS, COMPLAINTS, INTERROGATORIES, JUDGMENTS, CERTIFICATIONS AND NOTICES WITH THE REGISTERED AGENT, AUTHORIZED PERSON OR PARTNER OF THE DEFENDANT CORPORATION
☒ COMPANY ☐ BUSINESS ☐ PARTNERSHIP _____

(5) PROPERTY RECOVERED:

NO ONE PRESENT TO RECEIVE ORDER OF COURT. ORDER POSTED IN PLAIN VIEW.

(6) S.O.S./D.O.I.:

BY LEAVING THE SUMMONS AND COMPLAINT WITH THE SECRETARY OF THE STATE/DIRECTOR OF INSURANCE OF THE STATE OF ILLINOIS, AN AGENT OF SAID DEFENDANT LISTED ABOVE. ANY AGENT OF SAID CORPORATION NOT FOUND IN THE COUNTY OF COOK.

(7) CERTIFIED MAIL

***** COMPLETE THIS SECTION IF WRIT IS A THIRD PARTY CITATION/GARNISHMENT *****

(8) AND BY MAILING ON THE _____ DAY OF _____ 20____ A COPY OF THE THIRD PARTY GARNISHMENT/CITATION SUMMONS AND NOTICE TO THE JUDGMENT DEBTOR'S LAST KNOWN ADDRESS AS INDICATED IN THE NOTICE WITHIN (2) BUSINESS DAYS OF SERVICE UPON GARNISHEE/THIRD PARTY DEFENDANT.

THE NAMED DEFENDANT WAS NOT SERVED FOR THE GIVEN REASON BELOW:

- | | | |
|-----------------|----------------------------------|-----------------------------|
| (01) NO CONTACT | (05) WRONG ADDRESS | (09) DECEASED |
| (02) MOVED | (06) NO SUCH ADDRESS | (10) NO REGISTERED AGENT |
| (03) EMPTY LOT | (07) EMPLOYER REFUSAL | (11) OUT OF COOK COUNTY |
| (04) NOT LISTED | (08) CANCELLED BY PLAINTIFF ATTY | (12) OTHER REASON (EXPLAIN) |

EXPLANATION:

WRIT SERVED ON:

SEX: M ☒ F

RACE:

AGE: 35

THIS DAY OF

Oct

2015

Thomas J. Dart

SHERIFF, BY:

[Signature]

DEPUTY

ATTEMPTED SERVICES

DATE

TIME (AM/PM)

STAR #

10 : 00

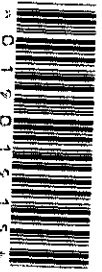
THOMAS #11024

VSA618

B3

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY
155 N Main St., Edwardsville, IL 62025
(618) 296-4464
madisoncountycircuitclerkIL.org

DOC. TYPE: LAW
CASE NUMBER: 15L001219
DEFENDANT
SYNGENTA SEEDS, INC
208 S LASALLE ST
CHICAGO, IL 60604
STE 814



DIE DATE
10/16/2015

FOREIGN

CASE No. 2015 L 001219

DATE: September 29, 2015

RONALD POLETTI

PLAINTIFF

VS.

SYNGENTA SEEDS, INC.
C/O CT CORPORATION SYSTEM
208 SOUTH LASALLE ST STE
CHICAGO, IL 60604

FOREIGN

ATTACHED

SERVICE INF
CO CT COR

DEFENDANT

DEFENDANT: SYNGENTA SEEDS, INC.

You are hereby summoned and required to file an answer in this case, or otherwise file your appearance, in the office of the Madison County Circuit Clerk, within 30 days after service of this summons, exclusive of the day of service. If you fail to do so, a judgment or decree by default may be taken against you for the relief prayed in the complaint.

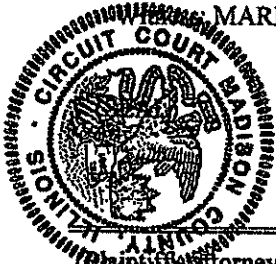
This summons must be returned by the officer or other person to whom it was given for service, with endorsement thereon of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than 30 days after its date.

MARK VON NIDA the Clerk of said Circuit Court and the seal thereof, at Edwardsville, Illinois, this September 29, 2015.

MARK VON NIDA
CLERK OF THE CIRCUIT COURT

BY: ABentlage
Deputy Clerk



(To be signed by attorney or plaintiff if he is not represented by an attorney)

W WYLIE BLAIR
ONDER SHELTON O'LEARY & PETERSON LL
100 E LOCKWOOD AVE
2ND FL
ST LOUIS, MO 63119

Date of Service: _____, 20 _____.
(To be inserted by officer on the copy left with the defendant or other person)

1 of 2

The Madison County Court makes every effort to comply with accessibility laws and provides reasonable accommodations to persons with disabilities. Hearing, visual and other assistance may be arranged by contacting our Court Disability Coordinator, Teri Picchioldi at 618-296-4884.

B4

STATE OF NORTH CAROLINA
COUNTY OF WAKE



Plaintiff Name:
POLETTI, RONALD

Versus

Defendant Name:
SYNGENTA BIOTECHNOLOGY INC
SERVE - CT CORPORATION SYSTEM
250 FAYETTEVILLE ST
RALEIGH, NC 27601

STATE OF ILLINOIS
COUNTY OF MADISON

FILED
Case Number: 2015 L 001219
Transaction ID: 58017425
Date Filed: Oct 14 2015 03:41PM
Mark Von Nida
Clerk of Circuit Court
Third Judicial Circuit, Madison County Illinois

DEPUTY'S AFFIDAVIT
OF SERVICE

Court File No: 2015 L 001219

I, T. Clad K. Ter, being a duly sworn Deputy Sheriff of
Wake County, Raleigh, North Carolina, States that in the above referenced matter, on the
5 Day of October, 2015 at 1230 { } AM { } PM, HE/SHE
{ } SERVED/ { } WAS UNABLE TO SERVE, SYNGENTA BIOTECHNOLOGY INC, legal service of
SUMMONS, COMPLAINT AND EXHIBITS, on Defendant/Person to serve as follows: (check one):

- ☐ BY DELIVERING TO DEFENDANT / PERSON TO SERVE A COPY (IES)
- ☐ BY LEAVING A COPY (IES) AT THE DWELLING HOUSE OR USUAL PLACE OF ABODE OF THE DEFENDANT/
PERSON TO SERVE, WITH A PERSON OF SUITABLE AGE.
- ☒ AS THE DEFENDANT / PERSON TO SERVE IS A CORPORATION, SERVICE WAS EFFECTED BY DELIVERING
A COPY(IES) TO WHO IS AN OFFICER OF THE CORPORATION. *Served - Lashia Pope*
- ☐ NOT SERVED: DEFENDANT/PERSON NOT FOUND IN WAKE COUNTY.
- ☐ OTHER: Agent at CT Corp

Service Name: _____

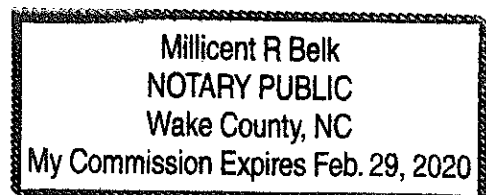
DONNIE HARRISON
SHERIFF OF WAKE COUNTY

BY: [Signature]
DEPUTY SHERIFF

SUBSCRIBED AND SWORN TO BEFORE ME THIS
THE 5 DAY OF October, 2015

Millicent R Belk
NOTARY PUBLIC, WAKE COUNTY, NORTH CAROLINA

MY COMMISSION EXPIRES THE 29 DAY OF Feb 2020



B5

R_Civi83

September 29, 2015

Case 3:15-cv-01221-NJR Document 1-3 Filed 11/03/15 Page 7 of 18 Page ID #:273

EFILED

Case Number: 2015 L 001219

Transaction ID: 58017425

Date: Oct 14 2015 03:41PM

Mark Von Nida

Clerk of Circuit Court

Third Judicial Circuit, Madison County Illinois

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY
155 N Main St., Edwardsville, IL 62025
(618) 296-4464
madisoncountycircuitclerkIL.org

CASE No. 2015 L 001219

DATE: September 29, 2015

RONALD POLETTI

PLAINTIFF

VS.

SYNGENTA BIOTECHNOLOGY, INC.
C/O CT CORPORATION SYSTEM
250 FAYETTEVILLE ST BOX 1
RALEIGH, NC 37601

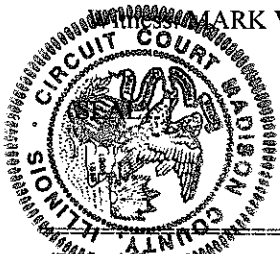
DEFENDANT

DEFENDANT: SYNGENTA BIOTECHNOLOGY, INC.

You are hereby summoned and required to file an answer in this case, or otherwise file your appearance, in the office of the Madison County Circuit Clerk, within 30 days after service of this summons, exclusive of the day of service. If you fail to do so, a judgment or decree by default may be taken against you for the relief prayed in the complaint.

This summons must be returned by the officer or other person to whom it was given for service, with endorsement thereon of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than 30 days after its date.



MARK VON NIDA the Clerk of said Circuit Court and the seal thereof, at Edwardsville, Illinois, this September 29, 2015.

MARK VON NIDA
CLERK OF THE CIRCUIT COURT

BY: ABentlage
Deputy Clerk

(Plaintiff's attorney or plaintiff if he is not represented by an attorney)

W WYLIE BLAIR
ONDER SHELTON O'LEARY & PETERSON LL
100 E LOCKWOOD AVE
2ND FL
ST LOUIS, MO 63119

Date of Service: _____, 20____.

(To be inserted by officer on the copy left with the defendant or other person)

1 of 2

The Madison County Court makes every effort to comply with accessibility laws and provides reasonable accommodations to persons with disabilities. Hearing, visual and other assistance may be arranged by contacting our Court Disability Coordinator, Teri Picchioldi at 618-296-4884.

B6

Date: Oct 14 2015 03:41PM

Mark Von Nida

Clerk of Circuit Court

Third Judicial Circuit, Madison County Illinois

CASE No. 2015 L 001219

STATE OF ILLINOIS }
MADISON COUNTY } ss.

I, T. Clodfelter, Sheriff of said county, have duly served the within summons on the defendant Syngenta Biotechnology, Inc. by leaving a copy thereof with said defendant personally, on the 5 day of October, 2015.

I have duly served the said summons on the defendant, _____, on the _____ day of _____, 20____, by leaving a copy of said summons on said date at his/her usual place of abode with _____, a person of the family of said _____ of the age of 13 years or upwards and by informing such persons with whom said summons was left of the contents thereof and by also sending a copy of said summons on the _____ day of _____, 20____, in a sealed envelope, with postage fully prepaid, addressed to said defendant _____, at his/her usual place of abode, as stated hereinabove in my return.

Dated this 5 day of October, 2015.T. Clodfelter 00630

Sheriff

Sheriff's Fees

Service.....\$ _____

Making Copies.....\$ _____

Miles Traveled..\$ _____

Cost of mailing copies \$ _____

Return.....\$ _____

Total.....\$ _____

RONALD POLETTI

PLAINTIFF

VS.

SYNGENTA BIOTECHNOLOGY, INC.
C/O CT CORPORATION SYSTEM
250 FAYETTEVILLE ST BOX 1
RALEIGH, NC 37601

DEFENDANT

Date: Oct 20 2015 08:25AM

Mark Von Nida

Clerk of Circuit Court

Third Judicial Circuit, Madison County Illinois

SHERIFF'S OFFICE OF COOK COUNTY
AFFIDAVIT OF SERVICE

CASE NUMBER: 15L001219

MULT. SER.: 2

DOC. TYPE: LAW

DIE DATE: 10/16/2015

RECEIVED DATE: 10/2/2015

FILED DATE: 9/29/2015

DIST: 604 DC

DEFENDANT: SYNGENTA CROP PROTECTION, LLC
208 S LASALLE ST
CHICAGO, IL 60604
STE 814

PLAINTIFF: POLETTI, RONALD
ATTORNEY: ONDER SHELTON O'LEARY & PETERSON
LL
100 E LOCKWOOD AVE 2ND FL
ST LOUIS, MO 63119

ATTACHED FEE AMT:

SERVICE INFORMATION: C O CT CORP SYS

I CERTIFY THAT I SERVED THE DEFENDANT/RESPONDENT AS FOLLOWS:

- ___ **(1) PERSONAL SERVICE:** BY LEAVING A COPY OF THE WRIT/ORDER WITH THE DEFENDANT/RESPONDENT PERSONALLY, AND INFORMING DEFENDANT/RESPONDENT OF CONTENTS.
- ___ **(2) SUBSTITUTE SERVICE:** BY LEAVING A COPY OF THE SUMMONS AND COMPLAINT AT THE DEFENDANT'S USUAL PLACE OF ABODE WITH A FAMILY MEMBER OR PERSON RESIDING THERE, 13 YEARS OR OLDER, AND INFORMING THAT PERSON OF THE CONTENTS OF THE SUMMONS. ALSO, A COPY OF THE SUMMONS WAS MAILED TO THE DEFENDANT AT HIS OR HER USUAL PLACE OF ABODE ON
- ___ **(3) UNKNOWN OCCUPANTS:** BY LEAVING A COPY OF THE SUMMONS AND COMPLAINT NAMING "UNKNOWN OCCUPANTS" WITH A PERSON OF THE AGE OF 13 OR UPWARDS OCCUPYING SAID PREMISE.
- X **(4) CORP/CO/BUS/PART:** BY LEAVING THE APPROPRIATE NUMBER OF COPIES OF THE SUMMONS, COMPLAINTS, INTERROGATORIES, JUDGMENTS, CERTIFICATIONS AND NOTICES WITH THE REGISTERED AGENT, AUTHORIZED PERSON OR PARTNER OF THE DEFENDANT CORPORATION ___ COMPANY ___ BUSINESS ___ PARTNERSHIP ___
- ___ **(5) PROPERTY RECOVERED:** NO ONE PRESENT TO RECEIVE ORDER OF COURT. ORDER POSTED IN PLAIN VIEW.
- ___ **(6) S.O.S./D.O.I.:** BY LEAVING THE SUMMONS AND COMPLAINT WITH THE SECRETARY OF THE STATE/DIRECTOR OF INSURANCE OF THE STATE OF ILLINOIS, AN AGENT OF SAID DEFENDANT LISTED ABOVE. ANY AGENT OF SAID CORPORATION NOT FOUND IN THE COUNTY OF COOK.
- ___ **(7) CERTIFIED MAIL**
**** COMPLETE THIS SECTION IF WRIT IS A THIRD PARTY CITATION/GARNISHMENT ****
- ___ **(8) AND BY MAILING ON THE** ___ DAY OF ___ 20___ A COPY OF THE THIRD PARTY GARNISHMENT/CITATION SUMMONS AND NOTICE TO THE JUDGMENT DEBTOR'S LAST KNOWN ADDRESS AS INDICATED IN THE NOTICE WITHIN (2) BUSINESS DAYS OF SERVICE UPON GARNISHEE/THIRD PARTY DEFENDANT.

THE NAMED DEFENDANT WAS NOT SERVED FOR THE GIVEN REASON BELOW:

- ___ (01) NO CONTACT ___ (05) WRONG ADDRESS ___ (09) DECEASED
- ___ (02) MOVED ___ (06) NO SUCH ADDRESS ___ (10) NO REGISTERED AGENT
- ___ (03) EMPTY LOT ___ (07) EMPLOYER REFUSAL ___ (11) OUT OF COOK COUNTY
- ___ (04) NOT LISTED ___ (08) CANCELLED BY PLAINTIFF ATTY ___ (12) OTHER REASON (EXPLAIN)

EXPLANATION: COORDINATOR

WRIT SERVED ON: F RANDLE

SEX: Female

RACE: Black

AGE: 35

THIS 5 DAY OF October 2015

TIME: 10:00:00 AM

ATTEMPTED SERVICES

DATE	TIME (AM/PM)	STAR#
	:	
	:	
	:	
	:	

THOMAS J. DART,

SHERIFF, BY: THOMAS, JOSHUA , Star # 11024 , DEPUTY

DFE899R

Reconstructed Affidavit

David M. Keller
DAVID M. KELLER # 10-13-15

B8

10/13/2015

September 29, 2015

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY
155 N Main St., Edwardsville, IL 62025
(618) 296-4464
madisoncountycircuitclerkIL.com

CASE No. 2015 L 001219

DATE: September 29, 2015

RONALD POLETTI

PLAINTIFF

VS.

SYNGENTA CROP PROTECTION, LLC
C/O CT CORPORATION SYSTEM
208 SOUTH LASALLE STE STE
CHICAGO, IL 60604

DEFENDANT

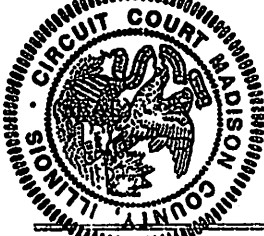
DEFENDANT: SYNGENTA CROP PROTECTION, LLC

You are hereby summoned and required to file an answer in this case, or otherwise file your appearance, in the office of the Madison County Circuit Clerk, within 30 days after service of this summons, exclusive of the day of service. If you fail to do so, a judgment or decree by default may be taken against you for the relief prayed in the complaint.

This summons must be returned by the officer or other person to whom it was given for service, with endorsement thereon of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than 30 days after its date.

Witness: MARK VON NIDA the Clerk of said Circuit Court and the seal thereof, at Edwardsville, Illinois, this September 29, 2015.



MARK VON NIDA
CLERK OF THE CIRCUIT COURT

BY: *[Signature]*
Deputy Clerk

(Plaintiff's attorney or plaintiff if he is not represented by an attorney)

W WYLIE BLAIR
ONDER SHELTON O'LEARY & PETERSON LL
100 E LOCKWOOD AVE
2ND FL
ST LOUIS, MO 63119

Date of Service: _____, 20____.
(To be inserted by officer on the copy left with the defendant or other person)

The Madison County Court makes every effort to comply with accessibility laws and provides reasonable accommodations to persons with disabilities. Hearing, visual and other assistance may be arranged by contacting our Court Disability Coordinator, Teri Picchioldi at 618-296-4884.

B9

**IN THE CIRCUIT COURT OF
MADISON COUNTY, ILLINOIS**

Ronald Poletti, *et al.*,

Plaintiffs

vs.

Syngenta AG, *et al.*,

Defendants.

Case No: 2015L 001219

This applies to:

Alan Onken v. Syngenta AG, *et al.*

NOTICE OF VOLUNTARY DISMISSAL

Pursuant to 735 Ill. Comp. Stat. Ann. 5/2-1009, Plaintiff, Alan Onken, hereby voluntarily dismisses his complaint against the Defendants without prejudice.

Respectfully submitted,

/s/ W. Wylie Blair

James G. Onder, IL Bar #06200444

W. Wylie Blair, IL Bar #06285762

Michael J. Quillin, IL Bar #6301933

Onder, Shelton, O'Leary & Peterson, LLC

100 E. Lockwood Ave. 2nd Floor

St. Louis, MO 63119

(314) 963-9000

blair@onderlaw.com

onder@onderlaw.com

quillin@onderlaw.com

OF COUNSEL:

Francois M. Blaudeau
2224 1st Avenue North
Birmingham, Alabama 35203
(205) 326-3336
francois@southernmedlaw.com

W. Lewis Garrison, Jr.
William L. Bross
Taylor C. Bartlett
Mark R. Ekonen
Chris Hood
Heninger Garrison Davis, LLC
2224 1st Avenue North
Birmingham, AL 35203
(205) 326-3336
wlgarrison@hgdllawfirm.com
william@hgdllawfirm.com
taylor@hgdllawfirm.com
mark@hgdllawfirm.com
chood@hgdllawfirm.com

Brian L. Kinsley
Crumley Roberts
2400 Freeman Mill Road, Ste. 200
Greensboro, NC 27406
Tel.: (336) 333-9899
blkinsley@crumleyroberts.com

CERTIFICATE OF SERVICE

I, W. Wylie Blair, certify that on 14th day of October, 2015, I electronically filed the foregoing Notice of Voluntary Dismissal with the Clerk of the Court using the File & Serve Xpress System which will send notification of such filing to the entered counsel of record in this action.

/s/ W. Wylie Blair

W. Wylie Blair, IL Bar #06285762
ONDER, SHELTON, O'LEARY & PETERSON, LLC
110 E. Lockwood Ave.
2nd Floor
St. Louis, MO 63119
(314) 963-9000
blair@onderlaw.com
Attorney for Plaintiff

**IN THE CIRCUIT COURT OF
MADISON COUNTY, ILLINOIS**

Ronald Poletti, *et al.*,

Plaintiffs

vs.

Syngenta AG, *et al.*,

Defendants.

Case No: 2015L 001219

This applies to:

Alan Onken v. Syngenta AG, *et al.*

PLAINTIFF'S MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiff, Alan Onken, by and through his undersigned counsel, respectfully moves this Court for voluntary dismissal without prejudice under 735 Ill. Comp. Stat. Ann. 5/2-1009.

As set forth more fully in the accompanying memorandum of law, dismissal without prejudice is appropriate in order to preserve Plaintiff's claims in this case, as Defendants have not served answer and no case specific discovery has commenced.

Respectfully submitted,

/s/ W. Wylie Blair

James G. Onder, IL Bar #06200444
W. Wylie Blair, IL Bar #06285762
Michael J. Quillin, IL Bar #6301933
Onder, Shelton, O'Leary & Peterson, LLC
100 E. Lockwood Ave. 2nd Floor
St. Louis, MO 63119
(314) 963-9000
blair@onderlaw.com
onder@onderlaw.com
quillin@onderlaw.com

OF COUNSEL:

Francois M. Blaudeau
2224 1st Avenue North
Birmingham, Alabama 35203
(205) 326-3336
francois@southernmedlaw.com

W. Lewis Garrison, Jr.
William L. Bross
Taylor C. Bartlett
Mark R. Ekonen
Chris Hood
Heninger Garrison Davis, LLC
2224 1st Avenue North
Birmingham, AL 35203
(205) 326-3336
wlgarrison@hgdllawfirm.com
william@hgdllawfirm.com
taylor@hgdllawfirm.com
mark@hgdllawfirm.com
chood@hgdllawfirm.com

Brian L. Kinsley
Crumley Roberts
2400 Freeman Mill Road, Ste. 200
Greensboro, NC 27406
Tel.: (336) 333-9899
blkinsley@crumleyroberts.com

CERTIFICATE OF SERVICE

I, W. Wylie Blair, certify that on 14th day of October, 2015 I electronically filed the foregoing Plaintiff's Motion for Voluntary Dismissal Without Prejudice with the Clerk of the Court using the File & Serve Xpress System which will send notification of such filing to the entered counsel of record in this action.

/s/ W. Wylie Blair

W. Wylie Blair, IL Bar #06285762

ONDER, SHELTON, O'LEARY & PETERSON, LLC

110 E. Lockwood Ave.

2nd Floor

St. Louis, MO 63119

(314) 963-9000

blair@onderlaw.com

Attorney for Plaintiff

Mark Von Nida
Clerk of Circuit Court
Third Judicial Circuit, Madison County Illinois

**IN THE CIRCUIT COURT OF
MADISON COUNTY, ILLINOIS**

Ronald Poletti, *et al.*,

Plaintiffs

vs.

Syngenta AG, *et al.*,

Defendants.

Case No: 2015L 001219

This applies to:

Alan Onken v. Syngenta AG, *et al.*

**PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION FOR VOLUNTARY
DISMISSAL WITHOUT PREJUDICE**

Plaintiff, Alan Onken, files this Memorandum in Support of Motion for Voluntary Dismissal under 735 Ill. Comp. Stat. Ann. 5/2-1009. Plaintiff requests the dismissal of this action without prejudice.

Plaintiff brought this case in the Circuit Court of Madison County, Illinois on September 18, 2015. It has come to the attention of Plaintiff's attorneys that Plaintiff also signed a contract with another firm regarding the same matter. Following discussions with Plaintiff, Plaintiff no longer wishes for the undersigned to pursue this claim on their behalf.

Pursuant to 735 Ill. Comp. Stat. Ann. 5/2-1009(a), "the Plaintiff may, at any time before trial or hearing begins, upon notice to each party who has appeared or each such party's attorney, and upon payment of costs, dismiss his or her action or any part thereof as to any defendant, without prejudice, by order filed in the cause." In the present case, Defendants have not entered

their appearance and Defendants would not be prejudiced by a voluntary dismissal without prejudice as no case specific discovery has been served in this matter. Therefore, Plaintiff should be permitted to file the attached Notice of Dismissal with the Court.

WHEREFORE, Plaintiff respectfully requests the dismissal of this case without prejudice.

Respectfully submitted,

/s/ W. Wylie Blair

James G. Onder, IL Bar #06200444
W. Wylie Blair, IL Bar #06285762
Michael J. Quillin, IL Bar #6301933
Onder, Shelton, O'Leary & Peterson, LLC
100 E. Lockwood Ave. 2nd Floor
St. Louis, MO 63119
(314) 963-9000
blair@onderlaw.com
onder@onderlaw.com
quillin@onderlaw.com

OF COUNSEL:

Francois M. Blaudeau
2224 1st Avenue North
Birmingham, Alabama 35203
(205) 326-3336
francois@southernmedlaw.com

W. Lewis Garrison, Jr.
William L. Bross
Taylor C. Bartlett
Mark R. Ekonen
Chris Hood
Heninger Garrison Davis, LLC
2224 1st Avenue North
Birmingham, AL 35203
(205) 326-3336
wlgarrison@hgdllawfirm.com
william@hgdllawfirm.com
taylor@hgdllawfirm.com
mark@hgdllawfirm.com
chood@hgdllawfirm.com

Brian L. Kinsley
Crumley Roberts
2400 Freeman Mill Road, Ste. 200
Greensboro, NC 27406
Tel.: (336) 333-9899
blkinsley@crumleyroberts.com

CERTIFICATE OF SERVICE

I, W. Wylie Blair, certify that on this 14th day of October, 2015, I electronically filed the foregoing Plaintiff's Memorandum in Support of Motion for Voluntary Dismissal Without Prejudice with the Clerk of the Court using the File & Serve Xpress System which will send notification of such filing to the entered counsel of record in this action.

/s/ W. Wylie Blair

W. Wylie Blair, IL Bar #06285762
ONDER, SHELTON, O'LEARY & PETERSON, LLC
110 E. Lockwood Ave.
2nd Floor
St. Louis, MO 63119
(314) 963-9000
blair@onderlaw.com
Attorney for Plaintiff